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I hereby certify that this correspondence is being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450, MAIL STOP PETITION.

By:

Robert W. Mann

Robert W. Mann

PATENT

Customer No. 22,852

Attorney Docket No. 4121.0116-01000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Holly H. HOGREFE et al.

Serial No.: 08/957,709

Filed: October 24, 1997

For: POLYMERASE ENHANCING
FACTOR (PEF) EXTRACTS, PEF
PROTEIN COMPLEXES,
ISOLATED PEF PROTEINS, AND
METHODS FOR PURIFYING AND
IDENTIFYING THEM

Group Art Unit: 1652

Examiner: D. Ramirez

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop Petition

Sir:

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)

The above-identified application became abandoned for failure to file a timely and proper response to the Office Action mailed on May 6, 2003, which set a three month period for response. The abandonment date of this application is August 7, 2003

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OFFICE OF PETITIONS

(i.e., the day after the expiration date of the period set for response plus any extensions of time obtained therefore).

Applicant hereby petitions for revival of this application.

1. Petition fee

☒ Small entity - fee \$665.00 (37 CFR 1.17(m))

☐ Small entity statement enclosed herewith.

☒ Small entity statement previously filed.

2. Proposed response

The proposed response to the above-noted Office Action in the form of an Amendment After Final:

☐ has been filed previously on ____.

☒ is enclosed herewith.

3. A Notice of Appeal is enclosed herewith.

4. Verified statement

The entire delay in filing the required reply, from the due date for the reply until the filing of a grantable petition under 37 CFR § 1.137(b), was unintentional.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may

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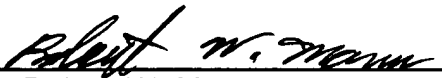
jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

If there are any other fees due in connection with the filing of this response, including any fees required for an extension of time under 37 CFR § 1.136, such an extension is requested, and the Commissioner is authorized to charge any related fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 7, 2003

By: 
Robert W. Mann
Reg. No. 48,555

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